

TO PRESERVE THE NAVIGATION OF CASS LAKE, MINN.

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JANUARY 27, 1925.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed

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Mr. HAUGEN, from the Committee on Agriculture, submitted the following

REPORT

[To accompany H. R. 11928]

The Committee on Agriculture, to whom was referred the bill (H. R. 11928) to promote and preserve the navigability of Cass Lake in the State of Minnesota, having considered the same, report thereon with a recommendation that it do pass.

This legislation authorizes the Secretary of Agriculture to take over, operate, and maintain a dam which was constructed about 20 years ago by a lumber company, for the purpose of maintaining a water level on Cass Lake sufficient to permit of the floating of logs on that lake. Cass Lake is wholly within the Minnesota National Forest, and thousands of tourists from other States visit it each summer. Many have erected summer homes in the forest reserve and the Government, according to the Forestry Service derives an annual income of about \$2,000 from the lease of cottage sites, which amount is rapidly increasing each year. Lumbering operations are also carried on on the reserve and the logs floated to nearby mills on Cass Lake. Last year the Government derived \$13,000 from the sale of logs. The value of the stumpage on the reserve would greatly decrease if the present dam were destroyed, and it will be if not repaired as planned by the Forestry Service.

The following letters from the Department of Agriculture on H. R. 7151, a similar bill, are herewith reproduced for the information of the committee.

DEPARTMENT OF AGRICULTURE,  
Washington, March 10, 1924.

HON. G. N. HAUGEN,  
*Chairman Committee on Agriculture,  
House of Representatives.*

DEAR MR. HAUGEN: Reference is made to your request of March 1 for a report upon the bill (H. R. 7151) to promote and preserve the navigability of Cass Lake in the State of Minnesota.

This measure would authorize the Secretary of Agriculture to accept on behalf of the United States title to a dam and appurtenances which have been constructed and are maintained under authority of law by the J. Neils Lumber Co., together with right of way for the abutment of said dam and the flowage rights acquired by the company and thereafter to reconstruct and maintain the dam at a certain water level of Cass Lake.

Section 2 would authorize the Secretary in his discretion to acquire title to lands submerged as a result of this dam; by purchase under provision of sections 7 and 8 of the Weeks law of March 1, 1911, or in lieu of the purchase, the Secretary may compensate the owners of said lands for damages sustained by reason of such submergence, upon proper showing that damages are due exclusively to maintenance of the dam.

Section 3 would appropriate \$5,000 for the fiscal year ending June 30, 1925, and would authorize similar annual appropriations thereafter.

Cass Lake is within the Minnesota National Forest which was established by the act of May 23, 1908 (35 Stat. 268). A dam has been constructed by the J. Neils Lumber Co. to maintain a certain water level of the lake under authority of a permit granted by the Secretary of the Interior under the act of June 27, 1902 (32 Stat. 404) for the purpose of removing timber on ceded Chippewa Indian lands. The company has decided to abandon the maintenance of this dam and has offered to grant title to it to the Government.

The reports of the local supervising officer indicate that it is necessary to maintain this dam in order to promote satisfactory conditions of navigability on Cass Lake.

The department is interested in the level of the lake being maintained at such a height that in the case of logging operations on the Minnesota National Forest, the lake may be used for transporting logs to a mill or mills which may be established on the shore. It is also interested because the region is visited extensively during the summer months for recreational purposes, and the lowering of the level of the lake would thus interfere with the enjoyment of the region for recreation, as it would prevent travel by launch to important parts of the islands and shore line of the lake.

The matter of the maintenance of this dam has been presented to the War Department, and under date of April 24, 1923, the Secretary stated that Congress has not delegated to his department any general power to authorize the construction or maintenance of dams such as the one mentioned in this bill. It was suggested, however, that his department was interested in the maintenance of the level of Cass Lake, and stipulated the height which has been written into the proviso of H. R. 7151.

Since the facts indicate that the maintenance of the dam would be distinctly in aid of navigation on Cass Lake and its tributaries and therefore to the public interest, the department is willing to assume the duty of maintaining this structure if Congress sees fit so to grant authority, and to appropriate the necessary moneys for that work. It is believed that the sum of \$5,000 represents a fair amount for this undertaking during the first fiscal year and that this amount would not be exceeded in any year thereafter.

Sincerely yours,

HENRY C. WALLACE, *Secretary.*

MARCH 24, 1924.

Referred to the Bureau of the Budget, pursuant to Circular No. 49 of that bureau, and returned to the Department of Agriculture with the advice that the foregoing is not in conflict with the financial program of the President.

DEPARTMENT OF AGRICULTURE,  
FOREST SERVICE,  
Washington, December 1, 1924.

HON. HAROLD KNUTSON,  
*House of Representatives,*

DEAR MR. KNUTSON: Reference is made to our conversation by telephone of this morning relating to an appropriation for the improvement and maintenance of the dam at the outlet of Cass Lake, within the Minnesota National Forest.

The Forest Service is interested in this subject for two reasons: First, the maintenance of the level of the lake at its present height is desirable because it will be a material aid in carrying on logging operations around or near the lake.

The logs, if the present level of the lake is maintained, may be readily transported to mills along the shore. Second, the Forest Service is further interested because this lake lies in a region which is extensively visited during the summer months for recreation. The visitors do not come from the immediate locality but from other sections of the State of Minnesota, as well as from adjoining States. To a large extent, of course, these recreation visitors bring no direct monetary return to the United States. Some of them, however, obtain permits for summer cottages, for which an annual rental payment is made. The revenue derived from this source during the last fiscal year was approximately \$2,000. In my judgment, the use of the forest for this purpose is destined to increase greatly, and this, in turn, of course, will result in greater monetary return to the United States.

The Forest Service receipts from this forest from other sources were approximately \$13,000. I have no doubt that in time the receipts from timber operations will be greatly increased.

Very sincerely yours,

E. E. CARTER, *Acting Forester.*

